

DORSEY & WHITNEY LLP
Bruce R. Ewing (BE-0724)
Brooke E. Pietrzak (BP-7314)
Gianfranco G. Mitrione (GM-8618)
250 Park Avenue
New York, New York 10177
(212) 415-9200

Attorneys for Plaintiff
Hard Rock Cafe International (USA), Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HARD ROCK CAFE INTERNATIONAL)
(USA), INC.,)

Plaintiff,)

v.)

Case No. 10 CV 7244 (WHP)

HARD ROCK HOTEL HOLDINGS, LLC,)
HARD ROCK HOTEL, INC., HRHH IP, LLC,)
MORGANS HOTEL GROUP CO., MORGANS)
HOTEL GROUP MANAGEMENT, LLC,)
MORGANS GROUP LLC, DLJMB HRH)
VOTECO, LLC, DLJ MB IV HRH, LLC, DLJ)
MERCHANT BANKING PARTNERS IV, L.P.,)
TURNER BROADCASTING SYSTEM, INC.,)
BRAD LACHMAN PRODUCTIONS, INC. and)
GENCO ENTERTAINMENT, INC.,)

Defendants.)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law dated December 17, 2010 and the appendices attached thereto, and all pleadings in this action, plaintiff Hard Rock Cafe International (USA), Inc., by its attorneys Dorsey & Whitney LLP, will move this Court before the Honorable William H. Pauley III of the United States District Court for the

Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York on January 28, 2011 at 12:00 pm, for an order dismissing all of the counterclaims asserted by defendants Hard Rock Hotel Holdings, LLC, Hard Rock Hotel, Inc. and HRHH IP, LLC (the "Hard Rock Defendants") in their Answer to First Amended Complaint and Counterclaims [Dkt. No. 35] pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim, together with any such other or further relief that the Court may deem just and proper.

Pursuant to the Scheduling Order entered by the Court [Dkt. No. 32], the Hard Rock Defendants shall file and serve their opposition to plaintiff's motion by January 7, 2011 and plaintiff shall file and serve its reply by January 14, 2011.

Dated: New York, New York
December 17, 2010

DORSEY & WHITNEY LLP

By:

S/

Bruce R. Ewing (BE-0724)
Brooke E. Pietrzak (BP-7314)
Gianfranco G. Mitrione (GM-8618)
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